

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | |
|--|-----------------------------|
| -----X | |
| SHAW FAMILY ARCHIVES, LTD., EDITH | : |
| MARCUS and META STEVENS, | : |
| | : |
| | : |
| Plaintiffs, | : Index No. 05 CV 3939 (CM) |
| | : |
| -against- | : Hon. Colleen McMahon |
| | : |
| | : |
| CMG WORLDWIDE, INC., an Indiana Corporation: | : |
| and MARILYN MONROE, LLC, a Delaware | : |
| Limited Liability Company, | : |
| | : |
| Defendants. | : |
| | : |
| -----X | |

DECLARATION OF CHRISTOPHER SERBAGI

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

I CHRISTOPHER SERBAGI, an attorney duly licensed to practice law before
this Court, declare the following facts under penalty of perjury:

1. I represent Shaw Family Archives, Ltd., Edith Marcus, Meta Stevens and
Bradford Licensing Associates (collectively referred to as the "Shaw Family") in the above-
captioned matter and am fully familiar with the facts set forth herein. I respectfully submit this
declaration on behalf of the Shaw Family in support of their position that SB 771 is
unconstitutional and that the Court's May 2, 2007 Decision and Order stands.
2. Attached hereto as Exhibit A is a true and correct copy of a Decision and Order of
the Honorable Colleen McMahon, dated May 2, 2007.

3. Attached hereto as Exhibit B is a true and correct copy of a Decision and Order of the Honorable Margaret Morrow, dated May 14, 2007.

4. Attached hereto as Exhibit C is a true and correct copy of California Civil Code § 334.1, as amended by SB 771.

5. Attached hereto as Exhibit D is a true and correct copy of a Decision and Order of the Honorable Margaret Morrow, dated January 7, 2008.


6. Attached hereto as Exhibit E is a true and correct copy of a letter from Roger Richman to Irving Seidman, dated February 27, 1990.

7. Attached hereto as Exhibit F is a true and correct copy of an Affidavit signed by Aaron Frosch, dated December 21, 1972.

8. Attached hereto as Exhibit G is a true and correct copy of a letter from Peter Eichler, of the law firm Baker & Hostetler, to Roger Richman, dated July 7, 1993, enclosing a letter from Martin Bressler to Larry Shaw, dated June 11, 1993.

Dated: New York, New York
February 14, 2008

LAW OFFICES OF CHRISTOPHER SERBAGI



By: Christopher Serbagi
488 Madison Avenue
New York, New York 10022
Tel: 212-593-2112
Fax: 212-308-8582

Attorneys for Shaw Family Archives, Bradford Licensing,
Inc., Edith Marcus and Meta Stevens